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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/646,845 | 08/25/2003 | Toshihiro Nakaminami | | 1460 |

7590

12/02/2005

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| EXAMINER |
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NGUYEN, THUONG

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| ART UNIT | PAPER NUMBER |
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2155

DATE MAILED: 12/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------|-------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/646,845 | NAKAMINAMI ET AL. | |
| | Examiner | Art Unit | |
| | Thuong T. Nguyen | 2155 | |

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 8/25/03.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>8/25/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to application 10/646,845 filed 8/25/03. Claims 1-5 are pending and represent system, method, directory information and information processor for method for managing and changing process of client and server in a distributed computer system.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It's unclear whom or what initiates a request from 1st processor to directory information manager.

4. Claim 2 recites the limitation "and/or" in publish/subscribe. There is insufficient antecedent basis for this limitation in the claim. It's unclear whether the inventor indicate the publish information or subscribe or both?

5. Regarding claim 2, the phrase "other information processors" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "or the like"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d). It's unclear what other information the inventor was discussing in the claim.

6. Regarding claim 2, the phrase "also" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d). It's unclear to the examiner to have the also term after the created message is sent.

7. Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It's unclear what is the specific service the inventor refers to?

8. Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It's unclear what is being desired to send?

9. Regarding claim 5, the phrase "also" renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d). It's unclear to the examiner what is the also in the preamble refers to?

10. Claim 5 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The inventor lacks of explanation of the phrase "object-inherent processor".

Claim Rejections - 35 USC § 112

11. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the

art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

12. Claim 5 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Claim 5 lacks written description in the specification what is the "object-inherent processor" is.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

13. Claims 1-5 are rejected under 35 U.S.C. 102(e) as being anticipated by Rosenberg Patent No. 6,418,416 B1. Rosenberg teaches the invention as claimed including inventory management system and method (see abstract).

14. As to claim 1, Rosenberg teaches a distributed system comprising:
creating a message addressed from first one to second of the plurality of information processors in the distributed system (col 1, lines 66 – col 2, lines 3; col 5, lines 8-18; Rosenberg discloses that the method of exchanges the message between

the portal site and the controller through the distributed network; Rosenberg also discloses that the method of transmitting the information or data through the exchange links or distributed network);

issuing a request from said first information processor to said directory information manager to cause the directory information manager to search for directory information as management information for control of operation of said respective information processors in the distributed system (col 6, lines 46-49; Rosenberg discloses that the method of trigger the search query by selecting the search option; the user enter a query and got the list of result for the matches items);

reading out said directory information in said directory information manager and sending said directory information to said first information processor (col 7, lines 29-36; Rosenberg discloses that the method of generated the report for viewing through the web site to support the distribution of information by the system); and

controlling sending operation of said created message on the basis of said directory information received from said directory information manager in said first information processor (col 5, lines 38-46; Rosenberg discloses that the method of sending and receiving the transaction for the database through the communications using the Internet connection).

15. As to claim 2, Rosenberg teaches a distributed system as recited in claim 1, wherein said directory information includes publish/subscribe information indicative of the other information processors which receive the message to be transferred between the information processors offering a specific service, and said created message is sent

also to the other information processors on the basis of said publish/subscribe information (col 4, lines 34-46; Rosenberg discloses that the method of published the information for the distributed networks and devices that are linked to Internet).

16. As to claim 3, Rosenberg teaches a distributed system as recited in claim 1, wherein said directory information includes service control information for control of operational modes of the information processors belonging to the specific service, and when it is desired to send said created message, the operational modes of the information processors belonging to the specific service are controlled on the basis of said service control information (table 1; Rosenberg discloses that the method of sending and receiving messages and all activities that occurred between the servers communication and the Internet).

17. As to claim 4, Rosenberg teaches a directory information manager comprising:
a directory information repository for storing therein directory information as management information for control of operations of said plurality of information processors in said distributed system (col 1, lines 66 – col 2, lines 3; col 5, lines 8-18; Rosenberg discloses that the method of exchanges the message between the portal site and the controller through the distributed network; Rosenberg also discloses that the method of transmitting the information or data through the exchange links or distributed network); and

directory processor for reading out the directory information requested by any one of said information processors from said directory information repository and sending the read-out directory information to said information processor (col 7, lines 29-

36; Rosenberg discloses that the method of generated the report for viewing through the web site to support the distribution of information by the system).

18. As to claim 5, Rosenberg teaches an information processor comprising:

object-inherent processor for creating a message addressed to the information processors in said distributed system (col 1, lines 66 – col 2, lines 3; col 5, lines 8-18; Rosenberg discloses that the method of exchanges the message between the portal site and the controller through the distributed network; Rosenberg also discloses that the method of transmitting the information or data through the exchange links or distributed network); and

communication management processor for requesting said directory information manager to search for directory information as management information for control of operations of the information processors in said distributed system (col 6, lines 46-49; Rosenberg discloses that the method of trigger the search query by selecting the search option; the user enter a query and got the list of result for the matches items) and controlling sending operation of the message created by said object-inherent processor on the basis of said directory information received from said directory information manager (col 5, lines 38-46; Rosenberg discloses that the method of sending and receiving the transaction for the database through the communications using the Internet connection).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuong T. Nguyen whose telephone number is 571-272-3864. The examiner can normally be reached on 7:30AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thuong T Nguyen
Patent Examiner/Art Unit 2155



SALEH NAJJAR
SUPERVISORY PATENT EXAMINER